

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

JASON SCOTT SWANN,

Plaintiff,

v.

DETECTIVE JOEHONNY REESE, *et al.*,

Defendants.

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Case No. 3:20-cv-509

Judge Thomas M. Rose

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**ENTRY AND ORDER GRANTING JOINT MOTION TO STAY BRIEFING ON  
CINCINNATI DEFENDANTS' MOTION TO DISMISS AND FOR REFERRAL  
TO MEDIATION (DOC. NO. 31)**

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This case comes before the Court on the Joint Motion to Stay Briefing on Cincinnati Defendants' Motion to Dismiss and for Referral to Mediation (Doc. No. 31) (the "Joint Motion"), filed jointly by Defendants Detective Joehonny N. Reese, Officer Kenneth W. Root, Sergeant Andre Smith, Lieutenant Joseph M. Borger, Chief Colonel Eliot I. Isaac, and City of Cincinnati (collectively, the "Cincinnati Defendants") and Plaintiff Jason Scott Swann.

The Court **GRANTS** the Joint Motion. The Court will issue a separate Order of Reference granting the movants' request that the Court refer the portion of the action between Plaintiff and the Cincinnati Defendants (only) to mediation. The Court **STAYS** (only) the briefing on the Cincinnati Defendants' Motion to Dismiss the Amended Complaint (Doc. No. 29). The remainder of the case will proceed as is, including the briefing on the Hamilton County Defendants' Motion to Dismiss Plaintiff's Amended Complaint (Doc. No. 30). The Court **ORDERS** that the Plaintiff and/or Cincinnati Defendants inform the undersigned, within 7 days of the mediation's termination, of the outcome of the mediation (i.e., only whether the portion of the action between

the Plaintiff and the Cincinnati Defendants has been settled or not). If the portion of the action between the Plaintiff and the Cincinnati Defendants has not been settled through the mediation, then Plaintiff's memorandum in opposition to the Cincinnati Defendants' Motion to Dismiss the Amended Complaint (Doc. No. 29) is due 21 days after the termination of the mediation and the Cincinnati Defendants' reply memorandum is due 14 days after the filing of Plaintiff's memorandum in opposition.

**DONE** and **ORDERED** in Dayton, Ohio, this Wednesday, August 11, 2021.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE